

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

-vs-

JOSE MENDOZA-RUELAS (1),

Plaintiff,

Defendant.

**Case No. 4:21-CR-06028-MKD-1****CRIMINAL MINUTES****DATE: MAY 2, 2023****LOCATION: YAKIMA****SENTENCING HEARING**

<b>Honorable Mary K. Dimke</b>			
Cora Vargas	03	Natalia Rivera	Kimberly Allen
<b>Courtroom Deputy</b>	<b>Law Clerk</b>	<b>Interpreter</b>	<b>Court Reporter</b>
Stephanie Van Marter		Alex B. Hernandez, III	
<b>Government Counsel</b>		<b>Defense Counsel</b>	
<b>United States Probation Officer: Sean Carter</b>			

☒ **Open Court**☐ **Chambers**☐ **Video Conference**

Defendant present in custody of the US Marshal and being assisted by the Court's certified Spanish interpreter.

The Court confirmed the parties are ready to proceed to sentencing and Mr. Hernandez confirmed he has reviewed and discussed the Presentence Investigation Report and objections with the defendant.

The Court informed the parties of the documents the Court has reviewed in preparation for sentencing.

Argument by counsel regarding defendant's objection to the sentencing enhancement included in the Presentence Investigation Report.

The Court overruled the defendant's objection and provided findings on the sentencing guideline calculations; no objection by counsel, other than defendant's previously noted objection re: enhancement; Presentence Investigation Report accepted by the Court, subject to possible amendment as noted below.

Ms. Van Marter provided sentencing recommendations on behalf of the government.

Mr. Hernandez provided sentencing recommendations on behalf of the defendant.

The defendant addressed the Court on his own behalf.

Mr. Hernandez provided the Court with documentation received just prior to the sentencing date regarding defendant's previous deportation and conviction which contains conflicting dates and information. Mr. Hernandez suggested the Presentence Investigation Report be amended to reflect the correct information so that defendant's status is not negatively impacted while incarcerated with BOP.

**[ X ] ORDER FORTHCOMING****CONVENED: 10:05 A.M.****ADJOURNED: 11:00 A.M.****TIME: 0:55 HR.****CALENDARED [ ]**

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The Court addressed the defendant and imposed sentence:

- **Imprisonment: 150 months.** The Court recommends placement at FCI Sheridan, Oregon.
- **Supervised Release: 5 years** on mandatory, standard and special conditions listed in the Presentence Investigation Report. Mr. Hernandez confirmed he has reviewed all the conditions with the defendant.
- **Fine:** waived
- **Special Penalty Assessment:** \$100

Appeal rights given to the extent any exist.

Ms. Van Marter moved to dismiss all remaining counts.

**Court:** granted

The Court will delay entry of judgment to allow counsel time to obtain additional information/clarification regarding defendant's previous conviction and deportation, at which time the Court will decide whether the Presentence Investigation Report should be amended.

Defendant remanded to the custody of the US Marshal.